

REMARKS

In accordance with the foregoing, claims 1-5, 9-13, 17-21, 25-27, 33, and 41 are amended. No new matter is being presented, and approval and entry of the amended claims are respectfully requested.

Claims 1-41 are pending and under consideration.

Claim Amendments

Claims 1, 5, 9, 13, 17, 21, 29, 33, and 41 are amended herein to delete the term "like" as suggested by the Examiner.

Claim 41 is amended herein to clarify the wording therein and recite a writing device including a detector "detecting a plurality of input signals from a writing instrument; and a switch capable of switching between a relative coordinate value mode and an absolute coordinate value mode inputting operation based on the detected input signals, wherein the detector detects a coordinate value based on the switching."

Claims 1-5, 9-13, 17-21, 25-27, and 33 are amended herein to more closely match the specification's terminology. Support for the amendments is found, for example, in FIG. 3 and paragraphs [0041]-[0045].

No new matter is being presented, and approval and entry of the amended claims are respectfully requested.

Item 3: Rejection of claims 1, 5, 9, 13, 17, 21, 29, 33, and 40 under 35 U.S.C. §112, first paragraph as indefinite

In item 3 of the Office Action, the Examiner rejects claims 1, 5, 9, 13, 17, 21, 29, 33, and 40 under 35 U.S.C. §112, first paragraph as indefinite because of the use of the phrase "or the like." (Action at page 3).

Applicant points out to the Examiner that claim 41, and not claim 40 as indicated in the Office Action, had recited the term "like" prior to the amendment herein.

Since the use of the term "absolute coordinate value mode"-like was originally suggested by the Examiner during an in-person interview, the Applicant's representative telephoned the Examiner regarding the present rejection. However, the Examiner indicated in the telephone discussion that the word "like" renders the claims indefinite and should be deleted.

Claims 1, 5, 9, 13, 17, 21, 29, 33, and 41 are amended herein to delete the term "like" as suggested by the Examiner. Withdrawal of the rejection is requested.

Item 2: Rejection of claims 1-36 under 35 U.S.C. §112, first paragraph

In item 2 of the Office Action the Examiner rejects claims 1-36 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Examiner asserts:

The recitation of "a calculation unit enabling an "absolute coordinate value mode"-like inputting operation by calculating a distance between a final coordinate value of a previous operation and a beginning coordinate value of a current input operation by said input unit". . . does [sic - is] not disclosed in the specification. The specification only disclose(s) a coordinate input device is set in an absolute mode when the contact area is less than a predetermined value C or the off-contact time is less than the predetermined time T1 The specification only disclose(s) a calculation unit . . . for calculating a distance between a final coordinate value of a previous operation and beginning coordinate value of a current input operation when the coordinate input device is in a relative mode.

(Action at pages 2-3).

As discussed in the telephone call between the Applicants' representative and the Examiner, Applicants respectfully point out that that the Examiner's citations included in the Office Action are not the only parts of the specification that discuss calculations performed by the present invention.

However, in view of the Examiner's suggestions claims 1-5, 9-13, 17-21, 25-27, and 33 are amended herein to more closely match the specification's terminology. As an example, applicable claims are amended herein to replace the term "calculation unit" with the term --processing unit-- so as to better correspond with CPU 3 in FIG. 3.

As another example, applicable claims are amended herein to replace the term "determination unit" with the term --detection unit-- so as to better correspond with detection unit 20 in FIG. 3.

As another example, applicable claims are amended herein to recite that the "setting" is done within the --detection unit--, since a specific "setting unit" is not distinguished in FIG. 3 and paragraphs [0041] -[0046]. Support for the amendments is found, for example, in FIG. 3 and paragraphs [0041]-[0045].

Summary

Applicant submits that claims 1-36, after the amendment of claims 1-5, 9-13, 17-21, 25-27, and 33, comply with 35 U.S.C. §112, first paragraph and request withdrawal of the rejection.

ITEMS 5-6: Rejection of claim 41 under 35 U.S.C. §102(e) as being respectively anticipated by Louis et al. (U.S.P. 6,088,023) or Applicants' admitted prior art (APA) in FIG. 1 and paragraphs [0006] and [0012]

In items 5-6 of the Office Action, the Examiner rejects claim 41 under 35 U.S.C. §102(e)

as being respectively anticipated by Louis or APA. The rejection is traversed.

Claim 41, as amended, recites a writing device including "a detector detecting a plurality of input signals from a writing instrument; and a switch capable of switching . . . based on the detected input signals, wherein the detector detects a coordinate value based on the switching (emphasis added)."

Applicant submits that neither Louis nor APA teach such a switching based on the detected input signals.

By contrast, Louis merely teaches (see, for example, in col. 4, line 59 and col. 5, lines 46-55) a manual switching with a "mode select toggle switch 16."

Applicant also points out that APA according to paragraph [0016] in further describing the conventional art discusses:

Therefore, in the case of detecting the coordinate values of a series of operations, once the relative coordinate value mode is set with respect to the operations, it is impossible to switch the relative coordinate value mode to the absolute coordinate value mode, causing the input operations on the coordinate input panel not to correspond to outputs on a display.

(emphasis added).

That is, a switching as recited in claim 41 is not taught by the APA.

Summary

Since features recited by claim 41 are not taught by the cited art, the rejection should be withdrawn.

Item 8: Rejection of claims 1-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25-27, 29-31 and 33-35 under 35 U.S.C. §103(a) as being unpatentable over APA in view of Yoshinobu et al. (U.S.P. 5,777,605).

In item 8 of the Office Action, the Examiner rejects claims 1-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25-27, 29-31 and 33-35 under 35 U.S.C. §103(a) as being unpatentable over APA in view of Yoshinobu.

In support of the rejection, the Examiner contends that it would have been obvious to have modified APA so the absolute and relative modes could be automatically switched by detecting the contact area without a need to press a button. (Action at page 5). In discussing support of the 35 U.S.C. §112 rejections, the Examiner indicated that:

The limitation of a calculation unit enabling an "absolute coordinate value mode" as cited in claims 1, 5, 9, 13, 17, 21, 25, 29, and 33 will not be considered.

(Action at page 5).

Applicant submits that independent claims 1, 5, 9, 13, 17, 21, 25, 29, and 33, all as

amended, recite features in a manner such that the enabling of the absolute coordinate value mode is required to be considered.

As an example, claim 1, as amended herein, recites a coordinate detection device, including "a detection unit that determines an operation mode of said input unit, the detection unit further comprising: a processing unit enabling an absolute coordinate value mode inputting operation by calculating a distance between a final coordinate value of a previous operation and a beginning coordinate value of a current input operation by said input unit, the current input operation occurring after a detachment of the input device from the surface of said input unit during the immediately preceding previous input operation; wherein a coordinate value at a time when the input device is detached from the surface of said input unit is set as the final coordinate value of the previous input operation, and wherein the distance calculated by said processing unit is transmitted to a host apparatus so as to prevent the current input operation from being connected to the previous input operation on a display. (emphasis added)."

Such an enabling is not taught by the cited art, alone or in combination.

Applicant further submits that a modification of the APA with Yoshinobu, in a manner suggested by the Examiner, is not suggested by the cited art, but is mere hindsight and does not establish *prima facie* obviousness.

Summary

Since *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25-27, 29-31 and 33-35 allowed.

Items 9-10: Rejection of claims 37-40 under 35 U.S.C. §103(a) as being unpatentable over APA in view of combinations of Yoshinobu, Suzuki et al. (U.S.P. 5,561,447), and Maxted (U.S.P. 6,340,967).

In items 9-10 of the Office Action, the Examiner rejects claims 37-40 under 35 U.S.C. §103(a) as being unpatentable over APA in view of combinations of Yoshinobu, Suzuki et al. (U.S.P. 5,561,447), and Maxted (U.S.P. 6,340,967). The rejection is traversed.

The Action concedes that APA does not teach

to set a coordinate value of a fit inputting as the final coordinate value input of the first inputting if a second inputting has not occurred for a predetermined of time.

However, in support of the rejection the Examiner contends that it would have been obvious to have modified APA with teachings of Suzuki since "the error coordinate input data could be prevented."

Applicant submits that none of the cited art, alone or in combination, teaches as recited by claim 37 a medium storing a method "wherein the distance calculated by said calculating is

transmitted to a host apparatus so as to prevent the second inputting from being connected to the first inputting on a display (emphasis added)."

That is, *prima facie* obviousness is not established since there is no stated motivation to combine the cited art in a manner as suggested by the Examiner.

Further, dependent claims 38-39, as amended herein, recite determining "either an absolute coordinate value mode or a relative coordinate value mode."

None of the cited art teaches such a determination of modes.

Summary

Since *prima facie* obviousness is not established, the rejection should be withdrawn and claims 37-40 allowed.

Item 10: Rejection of claims 4, 8, 12, 16, 20, 24, 28, 32, and 36 under 35 U.S.C. §103(a) as being unpatentable over APA in view of Yoshinobu and Maxted (U.S.P. 6,340,967)

In item 10 of the Office Action, the Examiner rejects claims 4, 8, 12, 16, 20, 24, 28, 32, and 36 under 35 U.S.C. §103(a) as being unpatentable over APA in view of Yoshinobu and Maxted (U.S.P. 6,340,967).

The Action concedes that APA does not teach determining "the operation mode of inputting based on a time during which input device is detached from the surface of the input unit." However, the Examiner contends that it would have been obvious to have modified APA:

so an operation mode could be could be automatically selected by detecting the contact area without need to press a button.

(Action at page 7).

Dependent claims 4, 8, 12, 16, 20, 24, 28, 32, and 36, all as amended herein, recite determining "either an absolute coordinate value mode or a relative coordinate value mode". Applicant submits that none of the cited art teaches such a determination of modes.

Rather, Maxted merely teaches (see, for example, Abstract) "a plurality of modes that are input mode, punctuation mode, correction mode, edit mode and selection mode."

Summary

Since *prima facie* obviousness is not established, the rejection should be withdrawn and claims 4, 8, 12, 16, 20, 24, 28, 32, and 36 allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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